

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IKE CARTER

PLAINTIFF

v.

CIVIL ACTION NO. 4:24-CV-7-MPM-JMV

**ILLINOIS CENTRAL
RAILROAD COMPANY**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On February 14, 2025, Judge Virden issued a very thorough twenty-six (26) page order explaining her conclusion that any incompleteness in plaintiff's deposition testimony regarding a prior injury he had suffered did not rise to the level of perjury justifying the extreme sanction of dismissal of a case in which defendant has admitted liability. [Docket entries 150-1, 199-1]. This court fully agrees with Judge Virden's conclusion in this regard, and it likewise agrees with her decision to allow defendant to conduct a second deposition of plaintiff (at his expense), where it may delve into his prior injuries. [*Id.* at 25]. This court has reviewed defendant's objections to Judge Virden's R&R, but it finds those objections to be unpersuasive.

It is therefore ordered that Judge Virden's R&R is adopted as the order of this court, and defendant's motion to dismiss and for sanctions [188-1] is denied.

This, the 16th day of July, 2025.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI